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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/222,073 12/29/98 SCHALK

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EXAMINER
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WM02/0522

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HUGHES & LUCE  
1717 MAIN STREET  
SUITE 2800  
DALLAS TX 75201

AZAD, A	
ART UNIT	PAPER NUMBER

2641

DATE MAILED:

05/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/222,073

Applicant(s)

SCHALK ET AL.

Examiner

ABUL K. AZAD

Art Unit

2641

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 13-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 13-16 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. This action is in response to the communication filed on March 12, 2001.
2. Claims 1-5, 7, 13-16, 18 are pending in this action. Claims 1, 15, and 16 have been amended. Claims 6, 8-12, 17 and 19-25 have been canceled.
3. Applicant's arguments with respect to claims 1-5, 7, 13-16 and 18 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7, 13-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg (US 6,122,612) in view of Brown et al. (US 6,208,965) newly cited.

As per claim 1, Goldberg teaches, "a method of recognizing a spoken digit string," comprising:

"(a) receiving the spoken digit string" (col. 2, lines 45-65);

"(b) analyzing the spoken digit string to generate a list of hypothesized digit strings arranged in ranked order based on a likelihood of matching the spoken digit string" (col. 5, lines 4-18);

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“(c) determining whether individual hypothesized strings of said list satisfy a given constraint, using a given knowledge based recognition strategy” (col. 5, lines 4-18);

“(d) selecting the first string in the list satisfying the constraint as the recognized string” (col. 5, lines 4-18);

“if none of the hypothesized digit strings satisfy the constrain, (e) prompting entry of the input identifier again” (col. 6, lines 6-11);

Goldberg does not explicitly teach to enter a second spoken digit string. However, Brown teaches particularly prompted to provide the input identifier again, but this time according to a second form that is different then the first form (Abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to enter a second spoken digit string so that minimize customer dissatisfaction and maintains high degree of accuracy in finding a match for an input identifier (col. 2, lines 16-23).

It would have been obvious to analyze the second digit string similarly as step b and selecting the recognized string as step d so that one can easily recognized the second digit string.

As per claim 2, Goldberg teaches, “said knowledge based recognition strategy comprises a database matching scheme” (col. 5, lines 4-18).

As per claim 3, Goldberg teaches, “wherein step (c) comprises searching a database of valid data strings to determine whether any of the hypothesized digit strings match one of the valid digit strings” (col. 5, lines 4-18).

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As per claim 4, Goldberg teaches, "wherein the knowledge based recognition strategy is a checksum scheme" (col. 5, lines 4-18).

As per claim 5, Goldberg teaches, "wherein the spoken digit string includes a checksum digit, and wherein step (c) comprises calculating a checksum of the hypothesized digit strings and determining whether the checksum matches the value of the checksum digit" (col. 5, lines 19-35).

As per claim 7, Goldberg does not explicitly teach, "wherein the checksum scheme utilizes a Luhan Checksum algorithm." It would have been obvious to one of ordinary skill in the art at the time of the invention to use the checksum scheme utilizes a Luhan Checksum algorithm because the choice of the Checksum algorithm is the routine experimentation and optimization in the absence of criticality.

As per claim 13, Goldberg teaches, "wherein the knowledge based recognition strategy is a digit positional strategy and the constraining is a given digit position" (col. 5, lines 36-59).

As per claim 14, Goldberg teaches, "wherein the knowledge based recognition strategy is a digit string length strategy and the constraint is a given digit string length" (col. 5, lines 36-59).

As per claims 15 and 16, Brown teaches, (h) and (I) (col. 3, lines 6-36), have similar limitations as claim 1, so that they are rejected for the same reasons.

As per claim 18, Brown teaches to prompt entry of a spoken digit string prior to step (a) (Fig. 3, element 300).

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **William Korzuch**, can be reached at **(703) 305-6137**.

Any response to this action should be mailed to:

**Commissioner for Patents**

**Washington, D.C. 20231**

Or faxed to:

**(703) 305-9508**


(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is **(703) 305-4700**.

Abul K. Azad

May 15, 2001

  
**Richmond Dorvil**  
**Primary Examiner**